

**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
October 20, 2014 6:00 PM**

In accordance with the Oklahoma Open Meeting Act, Title 25 O.S. Section 311, the agenda for this meeting was posted on the bulletin board in the lobby of City Hall, 116 W. Needles Ave., Bixby, Oklahoma on the date and time as posted thereon, a copy of which is on file and available for public inspection, which date and time was at least twenty-four (24) hours prior to the meeting, excluding Saturdays and Sundays and holidays legally declared by the State of Oklahoma.

STAFF PRESENT:

Erik Enyart, AICP, City Planner
Patrick Boulden, Esq., City Attorney

OTHERS ATTENDING:

See attached Sign-In Sheet

CALL TO ORDER:

Vice/Acting Chair Lance Whisman called the meeting to order at 6:11 PM.

ROLL CALL:

Members Present: Larry Whiteley, Jerod Hicks, Steve Sutton, and Lance Whisman.
Members Absent: Thomas Holland.

CONSENT AGENDA:

1. Approval of Minutes for the September 15, 2014 Regular Meeting

Vice/Acting Chair Lance Whisman introduced the Consent Agenda item and asked to entertain a Motion. Larry Whiteley made a MOTION to APPROVE the Minutes of the September 15, 2014 Regular Meeting as presented by Staff. Steve Sutton SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Sutton, Whiteley, Hicks, and Whisman
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

PUBLIC HEARINGS

2. **PUD 86 – “South Park Self Storage, LLC” – South Park Self Storage, LLC.** Public Hearing, discussion, and consideration of a rezoning request for approval of a Planned Unit Development (PUD) for approximately 7 acres in Section 25, T18N, R13E.
Property Located: 10901 S. Memorial Dr.
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Vice/Acting Chair Lance Whisman introduced the item and asked Erik Enyart for the Staff Report and recommendation. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Thursday, October 02, 2014
RE: Report and Recommendations for:
PUD 86 – “South Park Self Storage, LLC” – South Park Self Storage, LLC

LOCATION: – 10901 S. Memorial Dr.
– The South Park Center shopping center
– Part of the W/2 of the SW/4 Section 25, T18N, R13E
SIZE: 7 acres, more or less
EXISTING ZONING: CS Commercial Shopping Center District & CG General Commercial District
EXISTING USE: The South Park Center shopping center including the Use Unit 16 South Park Self Storage ministorage business
REQUESTED ZONING: CS & CG & PUD 86
SUPPLEMENTAL ZONING: Corridor Appearance District
SURROUNDING ZONING AND LAND USE:
North: (North of 109th St. S.) CS; Three (3) multitenant commercial strip shopping center buildings at 10777, 10807, and 10827 S. Memorial Dr.
South: CS; Three (3) multitenant commercial strip shopping center buildings and the Starbucks, and to the southeast is the “Market Place” and/or “Market Pointe South” retail strip center and trade center (name is not certain/not distinguishable from trade center at the southeast corner of the intersection of 111th St. S. and 82nd E. Pl.).
East: RS-3; Single family residential and a stormwater detention pond facility in South Country Estates.
West: (Across Memorial Dr. in Tulsa) CS/PUD 570/570A, CS/RM-1/RS-3/PUD 578A, & CS/AG/RS-3/PUD; The Arvest Bank, the Wal-Mart Supercenter, and other commercial businesses in the “Southern Crossing Shopping Center” and possibly also “South/Memorial Plaza” shopping center zoned CS, RM-1, and RS-3 with PUDs 570, 570A, & 578A, and to the northwest is the “The Vinyard on Memorial” and/or “Memorial Commons” shopping centers, the LifeTime Fitness / Life Time Fitness, the First Priority Bank, and other commercial development areas zoned CS, AG, and RS-3 with PUDs 619, 619B, and 619C, all located in the City of Tulsa.

COMPREHENSIVE PLAN: Medium Intensity + Commercial Area

PREVIOUS/RELATED CASES:

BZ-64 – Louis Levy for Robert Kramer – Request for rezoning from AG to CG and RM-2 for shopping center, apartments, and residential development for approximately 120 acres including all of South Country Estates and all of the commercial property to the west to Memorial Dr. (including subject property) – PC recommended Denial 07/10/1978 (apparently not appealed to City Council – see BZ-70).

BZ-70 – Louis Levy for Tommy Woods, et al. – Request for rezoning from AG to CS, OM, RD, & RS-3 for shopping center, offices, church, duplexes, and single-family residential development for approximately 120 acres including all of South Country Estates and all of the commercial property to the west to Memorial Dr. – subject property included in that area rezoned CS – PC recommended

Approval of CS, RD, and RS-2 zoning 10/30/1978 and City Council Approved CS, RD, & RS-3 zoning 12/18/1978 (Ord. # 368).

BBOA-232 – Daily YMCA – Request for Special Exception approval to allow a Use Unit 1 circus for one (1) day in the CS district on approximately 18 acres, including subject property, lying south of 109th St. S. and west of South Country Estates to Memorial Dr. – BOA Conditionally Approved 10/01/1990.

BBOA-281 – Darrell Jenkins for L.C. Neel – Request for Special Exception approval to allow a (then Use Unit 22) self storage use in a (pending) CG district for subject property – BOA Approved 07/12/1994.

BZ-210 – Darrell Jenkins for L.C. Neel – Request for rezoning from AG to CS for a 4.4-acre area of subject property – PC recommended Approval of east half only 07/18/1994 and City Council Approved the easterly 212' of subject property 09/12/1994 (Ord. # 710).

BL-178 – L.C. Neel – Request for Lot-Split approval for subject property – PC Approved 08/15/1994.

Plat Waiver for L.C. Neel – Request to Waive the platting requirement of the Zoning Code (then Section 260) for subject property to allow for the construction of the shopping center and ministorage – City Council Approved 09/12/1994 per case notes.

BBOA-325 – Lee Ann Fager for South Park Self Storage, LLC – Request for Special Exception approval to allow a 100'-high monopole communications tower in the CG district for subject property – BOA Denied 05/05/1997.

RELEVANT AREA CASE HISTORY: (not a complete list; does not include case history for areas within the City of Tulsa)

BBOA-122 – L.C. Neel – Request for Special Exception approval to allow Use Unit 17 automobile sales in the CS district on approximately 4 acres to the north of subject property and then addressed 10633 S. Memorial Dr. – BOA Conditionally Approved 11/14/1983.

BBOA-347 – Brian Ward – Request for rezoning from CS to CG and a Special Exception approval to allow a dual-pole ground sign, presumably (based on the Sherwin Williams sign and other case file notation) for an approximately 1.24-acre tract abutting subject property to the south at 11053/11055/11059 S. Memorial Dr. – BOA Approved 06/07/1999.

BBOA-396 – Leilani Armstrong & Ibrahim (Abraham) ElAbdallah – Request for Special Exception approval to allow Use Unit 17 automotive indoor storage, sales, and routine maintenance in the CS district for the “Market Place” and/or “Market Pointe South” (name is not certain/not distinguishable from trade center at the southeast corner of the intersection of 111th St. S. and 82nd E. Pl.) retail strip center and trade center approximately 5 ½ acres abutting subject property to the southeast at 8303/8307/8311/8315 E. 111th St. S. – BOA Conditionally Approved 02/03/2003.

PUD 43 – “Trinity Restoration” – Randall Pickard – Request to approve PUD 43 for a Use Unit 17 auto-body repair business use for approximately 1.14 acres to the south of subject property at approximately 11073 & 11081:11089 S. Memorial Dr. – PC recommended Denial 07/18/2005, voted to Reconsider 08/15/2005, and recommended Approval 09/22/2005. City Council Denied 10/24/2005.

BACKGROUND INFORMATION:

ANALYSIS:

Subject Property Conditions. The subject property of approximately 7 acres is zoned CS and CG and contains the South Park Center shopping center including the Use Unit 16 South Park Self Storage ministorage business. It has approximately 903.68' of frontage on Memorial Dr. and 340' of frontage on 109th St. S.

The subject property slopes moderately downward to the southeast toward the stormwater detention pond facility in Reserve B in South Country Estates.

The subject property is presently served by the critical utilities (water, sewer, electric, etc.).

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Medium Intensity and (2) Commercial Area.

The “Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan” (“Matrix”) on page 27 of the Comprehensive Plan provides that the existing CS zoning is In Accordance, and the existing CG zoning May Be Found In Accordance with the Medium Intensity designation of the Comprehensive Plan Land Use Map.

Page 7, item numbered 1 of the Comprehensive Plan states:

“ The Bixby Comprehensive Plan map depicts desired land uses, intensities and use and development patterns to the year 2020. Intensities depicted for undeveloped lands are intended to develop as shown. Land uses depicted for undeveloped lands are recommendations which may vary in accordance with the Intensities depicted for those lands.” (emphasis added)

This language is also found on page 30, item numbered 5.

This text introduces a test to the interpretation of the Comprehensive Plan Land Use Map, in addition to the Matrix: (1) If a parcel is within an area designated with a specific “Land Use” (other than “Vacant, Agricultural, Rural Residences, and Open Land,” which cannot be interpreted as permanently-planned land uses), and (2) if said parcel is undeveloped, the “Land Use” designation on the Map should be interpreted to “recommend” how the parcel should be zoned and developed. Therefore, the “Land Use” designation of the Comprehensive Plan Land Use Map should also inform/provide direction on how rezoning applications should be considered by the Planning Commission and City Council.

Although the subject property is developed, it should be recognized that the existing commercial shopping center and ministorage uses should be found In Accordance with the Commercial Area land use designation.

Per the Matrix, PUDs (as a zoning district) are In Accordance with the Medium Intensity designation of the Comprehensive Plan Land Use Map, and thus PUD 86 is In Accordance with the Comprehensive Plan as a zoning district.

Due to all of the factors listed and described above, Staff believes that the proposed PUD 86 should be found In Accordance with the Comprehensive Plan subject to the recommended modifications and Conditions of Approval pertaining to the PUD listed in the recommendations below.

General. The PUD proposes to allow the conversion of part of a retail building at the back side of the shopping center for ministorage use. The plan is to renovate the interior of the existing structure, without significant exterior modifications. It appears this would include the tenant spaces addressed 11017, 11019, and 11021 S. Memorial Dr. The other two (2), 11023 and 11025 S. Memorial Dr., would remain as individual shopping center tenant spaces.

In the interest of efficiency and avoiding redundancy, regarding PUD particulars for needed corrections and site development considerations, please refer to the recommended Conditions of Approval as listed at the end of this report.

The Fire Marshal’s, City Engineer’s, and City Attorney’s review correspondence are attached to this Staff Report (if received). Their comments are incorporated herein by reference and should be made conditions of approval where not satisfied at the time of approval.

The Technical Advisory Committee (TAC) discussed PUD 86 at its regular meeting held October 01, 2014. Minutes of that meeting are attached to this report.

Access and Internal Circulation. The subject property has approximately 903.68’ of frontage on Memorial Dr. and 340’ of frontage on 109th St. S. There appear to be three (3) driveway connections to Memorial Dr. and one (1) driveway connection to 109th St. S. The subject property is also connected via existing internal drives to the commercial strip shopping center property abutting to the south. No changes to existing access or circulation networks is proposed by this PUD.

Plans for access can be inferred from the site plans.

Surrounding Zoning and Land Use. Surrounding zoning is a mixture of CS, CS/PUD 570/570A, CS/RM-1/RS-3/PUD 578A, CS/AG/RS-3/PUD, and RS-3. See the case map for illustration and the Surrounding Zoning and Land Use section of this report for a description of existing zoning patterns

The existing and proposed land uses appear to be consistent with surrounding commercial zoning and land use patterns.

For all the reasons outlined above, Staff believes that PUD 86 would be consistent with the surrounding zoning, land use, and development patterns and are appropriate in recognition of the available infrastructure and other physical facts of the area.

Zoning Code Section 11-7I-8.C requires PUDs be found to comply with the following prerequisites:

- 1. Whether the PUD is consistent with the comprehensive plan;*
- 2. Whether the PUD harmonizes with the existing and expected development of surrounding areas;*

3. Whether the PUD is a unified treatment of the development possibilities of the project site; and

4. Whether the PUD is consistent with the stated purposes and standards of this article.

Regarding the fourth item, the “standards” refer to the requirements for PUDs generally and, per Section 11-7I-2, the “purposes” include:

A. Permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties;

B. Permit flexibility within the development to best utilize the unique physical features of the particular site;

C. Provide and preserve meaningful open space; and

D. Achieve a continuity of function and design within the development.

Subject to certain design issues being resolved as recommended herein, Staff believes that the prerequisites for PUD approval per Zoning Code Section 11-7I-8.C are met in this application.

Staff Recommendation. For all the reasons outlined above, Staff believes that the surrounding zoning and land uses and the physical facts of the area weigh in favor of the requested PUD and rezoning applications generally. Therefore, Staff recommends Approval of PUD 86, subject to the following corrections, modifications, and Conditions of Approval:

1. Subject to the satisfaction of all outstanding Fire Marshal, City Engineer, and City Attorney recommendations. This item will be addressed by the section in the PUD Text entitled “Standard Requirements.”
2. Please update all PUD number blanks with number 86.
3. PUD Text: Please revise all areas which refer to one (1) development area. The proposed ministorage conversion development area should be one (1), and the balance of the property should be the second, if the ministorage and shopping center are not split into second and third development areas.
4. PUD Text: Development Concept: Site Description and Location: First paragraph: Occurrence of “an” in lieu of “on,” as presumed intended.
5. PUD Text: Development Concept: Existing Site Zoning: Please remove the irrelevant text, “...as provided as “use by right” within Use Unit 16, “CG” General Commercial District, Tulsa County Zoning Code, and...”
6. PUD Text: Development Concept: Existing Site Zoning: Please correct citation “...Section 11-7D-2 Table 1, City of Bixby Zoning Code.”
7. PUD Text: Development Concept: Features of Site Area: Please clarify text such as “The property is an existing commercial retail shopping center and ministorage facility. Development Area ___ is a portion of an existing multitenant shopping center building which will be converted to Use Unit 16 ministorage use under this PUD proposal.”
8. PUD Text: Please clarify all instances of “specific site development,” “overall site development area,” “PUD site area,” “site development area,” “existing building site development area,” “project location,” and the like with more precise terminology, such as specifically-described and discretely-enumerated Development Area(s).
9. PUD Text: Please describe existing building height, lighting, screening, and/or signage conditions as being in compliance with the Zoning Code or otherwise advise and provide measures of flexibility in appropriate sections of this PUD.
10. PUD Text: Soil Analysis: Please relocate text used here to the second occurrence of this section, which is more appropriately placed.
11. PUD Text: Development Standards: Gross Land Area: Please clarify by re-titling “Land Area” and replacing “Net (specific site development)” with text such as “Development Area ___ Net Area.”

12. PUD Text: Development Standards: Permitted Uses: Please add language here or in the Development Concept section that specifies that any development standards not specifically outlined in this PUD Text are subject to the standards requirements of the Zoning Code.
13. PUD Text: Development Standards: Permitted Uses: Please replace term "Proposed" with "Existing."
14. PUD Text: Development Standards: Permitted Uses: Please include the existing CS district in both instances.
15. PUD Text: Development Standards: Permitted Uses: Please add language excluding all sexually-oriented businesses (SOBs), as was done with PUD 76, the commercial development areas in PUD 81, PUD 83, etc.
16. PUD Text: Development Standards: Max Building Stories: Please re-title "Maximum Building Height."
17. PUD Text: Development Standards: [Maximum Building Height]: Please remove ambiguous term "N/A."
18. PUD Text: Development Standards: Frontage: Please re-title "Minimum Frontage."
19. PUD Text: Development Standards: Floor Area Ratio: Should be expressed as a decimal or percentage.
20. PUD Text: Development Standards: Floor Area Ratio: Please calibrate according to proportional share of CG and CS zoning as modified by the PUD provisions of the Zoning Code.
21. PUD Text: Development Standards: Minimum Building Setbacks: Please add asterisk text as per Zoning Code Section 11-7D.4 Table 2: "*Plus 2 feet setback for each 1 foot of building height exceeding 15 feet if the abutting property is within an RE, RS or RD district."
22. PUD Text: Development Standards: . It is likely there is a variance between minimum or maximum parking spaces according to the relative mix and respective leased floor areas of the varying Use Units which may occupy the lot of record. If parking areas are not counted and found reconciled with parking standards required, the PUD should specify a minimum and maximum number of parking spaces to serve the various DAs. Defaulting to the underlying Zoning Code may prove problematic if not calculated and determined of no issue at this time.
23. PUD Text: Landscaped Area & Visual Screening: Please replace "overall site development area" with more precise terminology as recommended elsewhere herein.
24. PUD Text: Landscaped Area & Visual Screening: Please replace final sentence with less-ambiguous text such as: "As a part of this PUD proposal, two (2) new landscaped islands will be added as conceptually represented on Exhibit ____."
25. PUD Text: Signs: Please remove the second subsection due to incompatibility: Tulsa Planning Commission and "detail site plan," neither of which are appropriate in the context of this PUD.
26. PUD Text: Topography: Please use text more appropriate to the subject matter as titled, such as describing that the existing, developed site drains generally to the southeast and that no grade changes will be made upon approval of this PUD.
27. PUD Text: Drainage: Per Zoning Code Section 11-7I-8.B.2, please use text more appropriate to the subject matter as titled, such as describing that the existing, developed site drains generally to the southeast to the existing stormwater detention pond in Reserve B of South Country Estates, and that no grade changes will be made upon approval of this PUD.
28. PUD Text: Soil Type: At a minimum, in satisfaction of the PUD requirements of the Zoning Code, please note the underlying soil type per any of the Federal soil data sources.
29. PUD Text: Standard Requirements (second occurrence): Please remove as the initial occurrence of this section is more appropriately placed and worded.
30. PUD Text: Access & Circulation: Please clarify such as "The existing South Park Center shopping center, including the South Park Self Storage and the proposed additional ministorage development area, will maintain the existing points of access to Memorial Drive and 109th Street South. Existing internal drives will also be maintained."
31. PUD Text: Access & Circulation: Please describe site development amendments as may be proposed pursuant to Fire Marshal recommendations.
32. PUD Exhibit A: Missing – please add.
33. PUD Exhibit A: Please be sure to include entire lot of record.
34. PUD Exhibit A/A1 (the first): Please identify existing fence, gate, and concrete elevation conditions as they exist per Fire Marshal recommendations.

35. *PUD Exhibit A1 (the first): Please show proposed fence and/or gate changes proposed as recommended by the Fire Marshal.*
36. *PUD Exhibit A1 (the first): Please reconcile with title as used in Table of Contents and as used in Exhibit A1 (the second).*
37. *PUD Exhibit A1 (the first): 16' parking stall depths are not consistent with Bixby Zoning Code standards. Please provide for flexibility in this PUD, propose to restripe (at least the ministorage conversion development area) and revise site plan, or otherwise advise.*
38. *PUD Exhibit A1 (the first): One (1) ADA-designed parking space may not meet stall depth or access aisle standards of ADA. Please revise in accordance with ADA requirements.*
39. *PUD Exhibit A1 (the first): One (1) ADA-designed parking space should be of van-accessible design, or universal design, due to width as represented. Van- and universal-design accessible spaces are not subject to the design standards of the Zoning Code.*
40. *PUD Exhibit A1 (the first): Please reconcile terminology used, "existing building site development area," with development area terminology recommendations herein.*
41. *PUD Exhibit A1 (the first): 25' dimension to some unidentified feature to the west should label the western feature at the 25' dimension terminus.*
42. *PUD Exhibit A1 (the first): Sidewalk should be labeled as such and dimensioned as to width.*
43. *PUD Exhibit A1 (the first): Sidewalk vs. arcade areas should be clarified as to width.*
44. *PUD Exhibit B: Legal description should match that used on the PUD application form (lot of record).*
45. *PUD Exhibit C, D, and E: Should be scaled, demarcated, and labeled according to the lot of record.*
46. *PUD Exhibit D: Please replace "Proposed PUD" with Development Area __ as appropriate.*
47. *PUD Exhibit A1 (the first) / PUD Exhibit A1 (the second):*
48. *PUD Exhibit A1 (the second): Duplicative Exhibit name – please reconcile with Exhibit A1 (the first) and Exhibit A (currently missing).*
49. *PUD Exhibit A1 (the second): Appears to be missing all dimensions – please add.*
50. *PUD Exhibit A1 (the second): Please update Location Map with all plats filed of record, labeled and represented accurately, or remove specificity to the extent of obliterating incorrect citations.*
51. *PUD Exhibit A1 (the second): Please update Location Map to accurately represent lot of record.*
52. *PUD Exhibit A1 (the second): Please advise whether lot of record complies with ADA parking standards, does not but will be modified in order to comply, or does not and is not required to be modified to comply due to the scope of the project as defined by Development Areas.*
53. *PUD Exhibit A1 (the second): the boundaries as indicated do not have labels and do not appear to correspond to propertylines – please revise appropriately.*
54. *PUD Exhibit A1 (the second): dimensions appear to be missing throughout – please revise.*
55. *PUD Exhibit A1 (the second): Memorial Dr. label and dimensions to Seconline, centerline, and/or curblane are all missing.*
56. *The designer should consult with the Building Inspector to confirm the plans will comply with ADA standards. Any required changes pursuant to the above known at this time, in addition to adding the third accessible space, should be made at this time.*
57. *For the recommended Conditions of Approval necessarily requiring changes to the Text or Exhibits, recognizing the difficulty of attaching Conditions of Approval to PUD ordinances due to the legal requirements for posting, reading, and administering ordinance adoption, please incorporate the changes into appropriate sections of the PUD, or with reasonable amendments as needed. Please incorporate also the other conditions listed here which cannot be fully completed by the time of City Council ordinance approval, due to being requirements for ongoing or future actions, etc. Per the City Attorney, if conditions are not incorporated into the PUD Text and Exhibits prior to City Council consideration of an approval ordinance, the ordinance adoption item will be Continued to the next City Council meeting agenda.*
58. *A corrected PUD Text and Exhibits package shall be submitted incorporating all of the corrections, modifications, and conditions of approval of this PUD: two (2) hard copies and one (1) electronic copy (PDF preferred).*

Erik Enyart noted that, prior to the meeting, he had distributed copies of the revised PUD which he had received earlier that day. Mr. Enyart stated that he had not had adequate time to give the revised PUD a full review, but noted that several of the recommended corrections have been made. Mr. Enyart revised his recommendation to: Approval subject to the corrections, modifications, and Conditions of Approval as listed in the Staff Report, to the extent they remain outstanding upon review on the revised PUD.

Larry Whiteley asked if the building [would employ a sprinkler system], and Erik Enyart responded that he did not know, but the Fire Marshal's review memo noted that "sprinklers may be required."

Erik Enyart noted that, per aerial data, City Staff observed that, in the past couple of years, certain modifications had been made to the access drives around the building, including the addition of fences and gates and certain changes to the concrete, which reduced accessibility from an emergency response standpoint. Mr. Enyart stated that, in this latest PUD, the Applicant acknowledged the changes and agreed to restore the site to the satisfaction of the Fire Marshal.

Vice/Acting Chair Lance Whisman recognized Applicant Robert Anquoe of HRAOK, Inc., 1913 W. Tacoma St., Suite A, Broken Arrow, Oklahoma 74012, from the Sign-In Sheet. Mr. Anquoe offered to answer any questions.

Larry Whiteley made a MOTION to RECOMMEND APPROVAL of PUD 86 subject to the corrections, modifications, and Conditions of Approval as listed in the Staff Report. Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Sutton, Whiteley, Hicks, and Whisman
NAY:	None.
ABSTAIN:	None.
MOTION PASSED:	4:0:0

PLATS

3. **Preliminary Plat of "Pine Valley Addition" – Tanner Consulting, LLC (PUD 12-D).**
Discussion and consideration of a Preliminary Plat and certain Modifications/Waivers for "Pine Valley Addition" for 51.577 acres in part of the NW/4 of Section 16, T17N, R13E.
Property Located: South of the Southeast corner of 141st St. S. & Harvard Ave.

Vice/Acting Chair Lance Whisman introduced the item and asked Erik Enyart for the Staff Report and recommendation. Mr. Enyart summarized the Staff Report as follows:

To:	<i>Bixby Planning Commission</i>
From:	<i>Erik Enyart, AICP, City Planner</i>
Date:	<i>Tuesday, October 07, 2014</i>
RE:	<i>Report and Recommendations for: Preliminary Plat of "Pine Valley Addition" (PUD 12-D)</i>

<u>LOCATION:</u>	– <i>Northeast corner of 151st St. S. and Harvard Ave. (parent tract)</i>
	– <i>South of the Southeast corner of 141st St. S. & Harvard Ave. (plat area)</i>

- Part of the W/2 of Section 16, T17N, R13E (parent tract)
 - Part of the NW/4 of Section 16, T17N, R13E (plat area)
- SIZE: 219/223 acres, more or less (parent tract)
51.577 acres, more or less (plat area)
- EXISTING ZONING: RS-1 and RS-3 Residential Single-Family Districts with PUD 12-D (plat area)
- SUPPLEMENTAL ZONING: PUD 12-D “Geiler Park” (parent tract, including all of plat area)
- EXISTING USE: Vacant and mostly wooded (plat area)
- REQUEST:
- Preliminary Plat & Final Plat approval
 - Modification/Waiver from the 300’ maximum length standard of Subdivision Regulations Section 3.2.20
 - Modification/Waiver from Subdivision Regulations Section 12-3-3.A to reduce the width of the Perimeter U/E from 17.5’ along certain perimeters
 - Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as certain lots appear to exceed this 2:1 maximum depth to width ratio standard
 - Modification/Waiver from Subdivision Regulations Section 12-3-4.H to have double-frontage along Harvard Ave.
 - Modification/Waiver from Subdivision Regulations Section 12-3-2.O to allow parts of Reserve Areas A and C to be platted within the 100-year Regulatory Floodplain
- SURROUNDING ZONING AND LAND USE:
- North: RS-1; Single-family residential in Springtree.
- South: IL/CS/OL/RM-2/RM-1/RD/RS-3/PUD 12-D; The unplatted balance of subject property parent tract and the City of Bixby’s unplatted property of 21.5 acres, all of which property is presently agricultural and vacant/wooded.
- East: AG & IL/PUD 12-A; The 300’-wide AEP-PSO overland transmission powerline right-of-way zoned AG and farther east is vacant/wooded land in the Sitrin Center Addition zoned IL with PUD 12-A.
- West: (Across Harvard Ave.) AG & RS-3; Single-family residential and vacant lots in The Reserve at Harvard Ponds, agricultural, vacant, and rural residential along Harvard Ave. to the west and northwest, and single-family residential homes and vacant lots in The Enclave at Harvard Ponds and additional agricultural and rural residential along Harvard Ave. to the southwest.
- COMPREHENSIVE PLAN: Special District 2 + High Intensity/ Development Sensitive + Vacant, Agricultural, Rural Residences, and Open Land + Community Trails
- PREVIOUS/RELATED CASES: (Not necessarily a complete list and does not include cases in unincorporated Tulsa County)
- BZ-11 – Louis Levy for Tom Sitrin – Request for I-1, C-1, and R-1 zoning for approximately 660 acres (all of Sitrin Center Addition) – the Lot 6, Block 1, Sitrin Center Addition part of parent tract subject property included in that 360-acre area requested for R-1 zoning – believed to have been rezoned with modifications, per case notes and correspondence found in case file (Ordinance not found) by City Council on 02/06/1973.
- BZ-57 – Joe Donelson/J-B Engineering Co. for Frank & Maria Sweetin/Jody Sweetin – Request for rezoning from AG to RS-1 for approximately 142 acres (all of the NW/4 Less & Except the E. 300’ thereof) (included subject property) – PC Recommended Approval 07/25/1977 and City Council Approved 09/12/1977 (Ord. # 337).
- BZ-58 – Joe Donelson/J-B Engineering Co. for Frank & Maria Sweetin/Jody Sweetin – Request for rezoning from AG to RS-2 for approximately 142 acres (all of the NW/4 Less & Except the E. 300’ thereof) (included subject property) – Withdrawn 10/03/1977.
- Final Plat of Springtree – Jody L. Sweetin – City Council approved the Final Plat of Springtree 04/03/1978 and plat recorded 04/28/1978 (appears to have been a part of a parent tract which also includes subject property).
- BZ-66 – Jody L. Sweetin – Request for rezoning from RS-1 to RS-2 for approximately 100.53 acres (all of the NW/4 lying south of Springtree, Less & Except the E. 300’ thereof) (included subject

property) – PC Recommended Approval 07/31/1978 and City Council Approved 10/16/1978 (Ord. # 364).

Final Plat of “Springtree South” – Jody Sweetin – Request for Final Plat for “Springtree South,” including 189 lots, for approximately 101 acres (all of the NW/4 lying south of Springtree, Less & Except the E. 300’ thereof) – included subject property – PC Recommended Conditional Approval 07/30/1979 (not ever platted).

BZ-86 – Louis Levy – Request for RS-3, RD, RM-2, OL, OM, and CS zoning for approximately 602 acres (Sitrin Center Addition Less & Except Lot 1, Block 1, and Less & Except the E. 300’ of Lot 6, Block 1) – Lot 6, Block 1 section of subject property parent tract included in that area approved for RS-3 zoning – PC Recommended Modified Approval 04/28/1980 and City Council Approved 06/16/1980 (Ord. # 402).

PUD 1 – Royal Park Estates – Louis Levy – Request for PUD approval for approximately 602 acres (Sitrin Center Addition Less & Except Lot 1, Block 1, and Less & Except the E. 300’ of Lot 6, Block 1) – included that part of subject property parent tract within Lot 6, Block 1 – PC Recommended Approval 04/28/1980 and City Council Approved 06/16/1980 (Ord. # 403).

PUD 3 – Celebrity Country – Replaced PUD 1 but retained underlying zoning (included subject property) – PC Recommended Approval 09/27/1982 and City Council Approved 10/04/1982 (Ord. # 465).

BZ-186 – Gary L. Sulander for Preferred Investments Corp. – Request for CS, OL, RM-1, and RD zoning for approximately 30 acres (S/2 SW/4 SW/4 and NE/4 SW/4 of this Section) – included subject property parent tract – PC Recommended Approval 05/02/1988 and City Council Approved 05/24/1988 (Ord. # 586).

BZ-197 – Stephen D. Carr / George Suppes – Request for rezoning to RS-3, RM-2, CS, and IL for approximately 399.49 acres (Lots 2, 3, and 5, Block 1, Sitrin Center Addition, Less & Except that part lying E. of the Centerline of Kimberly-Clark Pl., and Lot 6, Block 1, Sitrin Center Addition, Less & Except the E. 300’ thereof, and the NW/4 of this Section lying south of Springtree, Less & Except the E. 300’ thereof) – included subject property – PC Recommended Modified Approval 03/21/1991 and City Council Approved with modifications, including IL, CS, RM-2, RS-3, and RS-1, on 04/13/1991 (Ord. # 652).

BPUD (PUD) 12 – George Suppes / Stephen D. Carr & Associates – Request for PUD approval for approximately 399.49 acres (Lots 2, 3, and 5, Block 1, Sitrin Center Addition, Less & Except that part lying E. of the Centerline of Kimberly-Clark Pl., and Lot 6, Block 1, Sitrin Center Addition, Less & Except the E. 300’ thereof, and the NW/4 of this Section lying south of Springtree, Less & Except the E. 300’ thereof) – replaced PUD 3 for the concerned part thereof – included subject property – PC Recommended Approval 03/21/1991 and City Council Approved 04/13/1991 (Ord. # 653; ordinance appears to have excluded the W/2 of the SW/4 of Section 16, T17N, R13E).

PUD 12 Major Amendment – “Amendment A” – Stephen D. Carr & Associates – Request for Major Amendment to PUD 12 – redesignated BPUD 12 as “PUD 12-A” – included subject property – PC recommended Conditional Approval 11/21/1994 and City Council Approved 01/09/1995 (Ord. # 713; ordinance appears to have used a legal description that does not properly close. The part with the deficient legal description corresponded to the subject property acreage lying outside Sitrin Center Addition. Because of the legal description error, INCOG did not change the official Zoning Map to reflect “PUD 12-A.” Since superseded by PUD 12-D).

PUD 12-A Major Amendment – “Amendment B” – Stephen D. Carr & Associates – Request for Major Amendment to PUD 12 – included subject property – PC recommended Conditional Approval 11/21/1994 and City Council Approved 03/23/1998. However, it was not approved by ordinance, as required (reference Zoning Code Sections 11-7I-8.G, 11-7I-8.D, and 11-5-4.E.3). Rather, it was approved by majority vote of the City Council per the approved Minutes of the March 23, 1998 City Council meeting.

PUD 12-A Major Amendment – “Amendment C” – “Amendment C” to PUD 12 was received from attorney George Suppes on 10/17/2007. It was not formally submitted for consideration, was not approved, and so has no effect. It is listed here for accounting purposes. The 2012/2013 Major Amendment was designated Amendment # D “Geiler Park” to account for all versions known to have existed.

PUD 12-A – Major Amendment # D “Geiler Park” – Request for approval of Major Amendment # D to PUD 12-A, to be known as “PUD 12-D” for Geiler Park, which amendment proposed the

extension of the business/industrial park areas, the inclusion of additional permitted uses within the business/industrial park areas, and the modification of bulk and area limitations – PC Recommended Conditional Approval 07/16/2012 and City Council Conditionally Approved the application only, and not the ordinance effecting the zoning change, 08/13/2012 (Ord. # 2088 executed in error). City Council repealed the spurious Ord. # 2088 and approved a revised Major Amendment # D by new ordinance 02/11/2013 (Ord. # 2114).

BACKGROUND INFORMATION:

ANALYSIS:

Property Conditions. The subject property parent tract of 219/223 acres, more or less, consists of the W/2 of Section 16, T17N, R13E lying South of Springtree, Less & Except the East 300' thereof, and Less & Except the City's 21.5-acre tract also contained within PUD 12-D. The subject property parent tract includes Lot 6, Block 1, Sitrin Center Addition, Less & Except the E. 300' thereof. The East 300' of the W/2 of this Section belongs to AEP-PSO and is used as right-of-way for overland transmission powerlines. This 300' strip separates the subject property parent tract from PUD 12-A, which is under separate ownership.

The subject property contains Posey Creek, and the plat area thereof is primarily that part lying north of Posey Creek. The subject property (plat area) is moderately sloped and drains to the south and east to Posey Creek, which itself is generally flowing northeasterly toward its confluence with the Arkansas River just east of the Kimberly-Clark plant. The property (plat area) is presently vacant and mostly wooded. The balance of the subject property parent tract is also vacant and mostly wooded, but has agriculturally-used, cleared areas.

The subject property parent tract's current underlying zoning pattern includes IL, CS, OL, RM-2, RM-1, RD, RS-3, and RS-1. This pattern is the result of several rezonings which started in the 1970s, but primarily per BZ-186 and BZ-197 in the late 1980s and early 1990s, respectively. The subject property plat area includes RS-1 and RS-3 underlying zoning, and is located in (primarily residential) Development Areas A, B, and C.

The subject property appears to be presently served by the critical utilities (water, sewer, electric, etc.).

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Special District 2, (2) High Intensity, (3) Development Sensitive/Vacant, Agricultural, Rural Residences, and Open Land, and (4) Community Trails.

The "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan provides that the existing RS-1 and RS-3 zoning May Be Found In Accordance with the Special District # 2, High Intensity, and Development Sensitive designations of the Comprehensive Plan Land Use Map.

Pages 18 and 20 of the Comprehensive Plan describe Special District 2 (all of this Section except Springtree) thus:

- b. The area generally depicted in the Special District 2 exhibit is recommended as an Industrial-Business Park Special District. The district is located in Section 16, Township 17 North, Range 13 East of the Indian Base and Meridian. This area has been planned and zoned consistent with the following standards. These standards of the approved PUD should be considered for other business and/or industrial parks which develop in the Bixby area. The development guidelines for the Special District 2 and any business and/or industrial park are as follows:
- (1) The tract of land should be assembled under one continuing control.
 - (2) The park should be a comprehensive planned development with specific development guidelines, restrictions and controls that ensure compatibility of uses and activities and provision of necessary infrastructure.
 - (3) A set of physical development and operational requirements and standards should be developed for the park applicable to all land owners within the park which will ensure a high standard of design and development.
 - (4) The purpose of Special District 2 and other business and/or industrial parks is to create a physical environment that will achieve the following: consistency with the Bixby Comprehensive Plan goals; efficient business and industrial operations; human scale and values; compatibility with natural and man-made environment; achieving and sustaining highest land values; and foster economic development.
 - (5) ST, IR, and IL zoning classifications are appropriate for such special districts once a comprehensive special district plan has been approved by the City. Such special district plans are recommended to be prepared by the property owner/developer by means of Planned Unit Development overlay district zoning.

The CS is appropriate and CG zoning classifications may be found to be appropriate in this special district. The IM zoning classification may or may not be appropriate within this special district. IH zoning is most likely inappropriate for this special district and special planning and development concerns associated with strictly IH uses must be satisfactorily resolved prior to any approval of this zoning in this special district.

It appears that Special District 2 was written in specific recognition of PUD 12, as was in effect when the Plan was last updated (circa 2002). The single-family residential development is consistent with the RS-1 and RS-3 underlying zoning and with the residential Development Areas in which located, and so does not appear to be inconsistent with Special District 2.

The Matrix does not indicate whether or not the existing RS-1 or RS-3 zoning would be in accordance with the Vacant, Agricultural, Rural Residences, and Open Land Land Use designation of the Plan Map. However, this Vacant, Agricultural, Rural Residences, and Open Land designation cannot be interpreted as permanently-planned land uses, and so the specific land use designation test as indicated on Page 7, item numbered 1 and page 30, item numbered 5 of the Comprehensive Plan, would not apply here.

Per the Matrix, PUDs (as a zoning district) are In Accordance with the Corridor designation of the Comprehensive Plan Land Use Map, and thus PUD 12-D is In Accordance with the Comprehensive Plan as a zoning district. The proposed subdivision plat is consistent with PUD 12-D.

The Comprehensive Plan Land Use Map designates a Community Trail more or less along a line south of and paralleling the southerly line of Springtree through the subject property's (plat area) entire east-west length. It is indicated as crossing Harvard Ave. and then crossing back to the east side, where it 'dovetails' the upstream tributary to Posey Creek. No trails are indicated as proposed in the development at this time.

PUD 12-D did not show planned trail routes, but did include plans to provide trails under PUD 12-D Section II.C:

"It is proposed that a trail system be provided that is meaningful and provides reasonable pedestrian opportunities extending from Harvard Avenue through the Posey Creek flood plain and continuing to the East boundary of Geiler Park. Prior to the issuance of occupancy permits for development which in the aggregate comprises 20% of the land area of Geiler Park, a trail system plan, including a construction phasing schedule, shall be submitted to and approved by the Bixby Planning Commission."

Even if it did not provide for trails, an amendment to the Comprehensive Plan would not have been required to approve Major Amendment # D, because the Zoning Code requires only consistency with the land use elements for rezoning purposes, not the Public Facilities / Urban Design Elements such as trails.

The division of trail construction responsibility between the residential and non-residential development areas was not addressed in PUD 12-D. The Applicant should consult with the current property owner and advise how the trail provisions will be addressed.

For all the reasons outlined above, the Trail designation notwithstanding, Staff believes that the single-family residential subdivision anticipated by this plat would be not inconsistent with the Comprehensive Plan.

General. *This commercial subdivision of 51.577 acres, more or less, proposes 151 lots in seven (7) to nine (9) blocks (see recommendations), three (3) Reserve Areas.*

This plat represents a conventional, suburban design, and appears similar to The Reserve at Harvard Ponds and The Enclave at Harvard Ponds to the southwest, with relatively similarly-sized and configured lots. Typical lots range from 65' X 125' (8,125 square feet, 0.19 acres) to 70' X 142' (9,940 square feet, 0.23 acres). All lots appear to meet PUD 12-D zoning standards.

With the exception(s) as outlined elsewhere herein, the Preliminary Plat appears to conform to the Zoning Code, PUD 12-D, and the Subdivision Regulations.

The Technical Advisory Committee (TAC) reviewed this application on October 01, 2014. The Minutes of the meeting are attached to this report.

The Fire Marshal's, City Engineer's, and City Attorney's memos are attached to this Staff Report (if received). Their comments are incorporated herein by reference and should be made conditions of approval where not satisfied at the time of approval.

Access. *Access to the residential subdivision would be via two (2) proposed street connections to Harvard Ave. and two (2) proposed connections to existing stub-out streets in Springtree: Jamestown Ave. and New Haven Ave. It proposes a stub-out street to the balance of the unplatted parent tract approximately at the New Haven Ave. alignment, and the south-pointing cul-de-sac street is designed with an opening along its easterly side to allow for future connection as well.*

The Subdivision Regulations requires sidewalks along interior streets and Harvard Ave. To ensure this requirement is not inadvertently overlooked for the sidewalks along Harvard Ave. and Reserve Area frontages (developer's responsibility prior to the construction of any homes), the engineering construction

plans should show locations, widths, and design details, which are subject to the Engineering Design Criteria Manual and City Engineer approval.

Limits of No Access (LNA) are proposed along Harvard Ave. except for access points corresponding to proposed street intersections, which must be approved by the City Engineer and Fire Marshal. County Engineer approval may also be required.

As noted above, no trails are indicated as proposed in the development at this time.

Staff Recommendation. Staff recommends Approval of the Preliminary Plat with the following corrections, modifications, and Conditions of Approval:

1. Subject to compliance with all Fire Marshal, City Attorney, and City Engineer recommendations and requirements.
2. Limits of No Access (LNA) and Access Openings subject to City Engineer and Fire Marshal approval. County Engineer approval may also be required.
3. Please advise (or represent on Preliminary Plat) where the southerly street would intersect Harvard Ave. as relates to the 145th Pl. S. entrance to The Reserve at Harvard Ponds. Please discuss with City Engineer and Fire Marshal if an offset would be considered appropriate or discouraged here, and if appropriate, how much of an offset should be achieved.
4. Will a median be employed at northerly entrance street? Please discuss.
5. The Subdivision Regulations requires sidewalks along interior streets and Harvard Ave. To ensure this requirement is not inadvertently overlooked for the sidewalks along Harvard Ave. and Reserve Area frontages (developer's responsibility prior to the construction of any homes), the engineering construction plans should show locations, widths, and design details, which are subject to the Engineering Design Criteria Manual and City Engineer approval.
6. The division of trail construction responsibility between the residential and non-residential development areas was not addressed in PUD 12-D. The Applicant should consult with the current property owner and advise how the trail provisions will be addressed.
7. Block 3 and other areas are exceedingly long; discuss the possibility of a pedestrian corridor of some sort for the ease of pedestrian accessibility throughout the neighborhood.
8. Subject to a Modification/Waiver from the 300' maximum street length standard of Subdivision Regulations Section 3.2.20. Cul-de-sac streets in The Reserve at Harvard Ponds and The Enclave at Harvard Ponds to the southwest appear to be at or less than the 300' maximum. The existing dead-end / stub-out street 146th Pl. S. in The Enclave at Harvard Ponds, however, appears to be roughly 470' in length. Although it should have a temporary turnaround, it does not, and so is not technically a cul-de-sac street. Also, when and if extended, it may no longer be a dead-end street. The nearest Bixby precedents for cul-de-sac streets in excess of 300' are found in Falcon Ridge Estates and Celebrity Country. The Applicant should describe, in the Modification/Waiver request letter, how the extra length may be justified.
9. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-3.A to reduce the width of the Perimeter U/E from 17.5' along certain perimeters.
10. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as certain lots appear to exceed this 2:1 maximum depth to width ratio standard.
11. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.H to have double-frontage along Harvard Ave. Recognizing the Limits of No Access (LNA) placed along the Harvard Ave. frontage, City Staff is supportive of this design, which is incidental and unavoidable due to existing geometries.
12. Subdivision Regulations Section 12-3-2.O prohibits the approval of building lots within the 100-year Regulatory Floodplain, as designated by FEMA and adopted as part of Bixby's Floodplain Regulations by ordinance; by Modification/Waiver, platting Reserve Areas may be permitted, provided their use is passive and use restrictions prohibit building construction. Parts of Reserve Areas A and C are in the 100-year Floodplain.
13. All Modification/Waiver requests must be submitted in writing.
14. Title Block area – please add PUD 12-D where appropriate.
15. Preliminary Plat: Elevation contours at one (1) foot maximum intervals not represented as required per SRs Section 12-4-2.B.6.
16. Per SRs Section 12-4-2.A.5, a Location Map is required and must include all platted additions within the Section; the following need to be corrected as follows:
 - a. Please correct name of street: S. Sandusky Ave. → S. Kimberly-Clark Pl.

- b. *Falcon Ridge Estates Community Pool* (missing)
 - c. *The Auberge* (misabeled)
 - d. *The Auberge Village* (misabeled)
 - e. Please identify project location in Location Map.
17. Please correct the number of Reserve Areas reported in Subdivision Contains statistics.
 18. Please resolve text/linework conflicts and/or congestion in Lot 8, Block 4, Lot 1, Block 6, Lot 7, Block 6, Lot 2, Block 3, and elsewhere throughout the plat as needed.
 19. Please label 143rd St. S. for that portion thereof represented in Springtree.
 20. 20' Bixby Drainage Easement along Harvard Ave.: arrows do not clearly point to 20' of width – please revise or advise.
 21. 15' ONG Easement along Harvard Ave.: arrows do not appear to correspond to relative width – please revise or advise.
 22. 50' R/W dedicated by Book 4598, Page 296: If not dedicated as fee-simple right-of-way (i.e. only easement), it should be re-dedicated by this plat or otherwise.
 23. 204.82' distance call along Harvard Ave.: Southerly terminus of indicated distance not identified (i.e. is this a point 50' easterly of the west Quarter Corner?).
 24. The Sectionline linetype corresponding to Harvard Ave. has a straight break symbol, suggesting the intent to provide a dimension to some survey point farther south – please identify or clarify as appropriate.
 25. Please identify linework along Harvard Ave. west of and parallel to the 20' B/L (i.e. 15' U/E?).
 26. Please identify blue linetype (exterior extent of 100-year Floodplain presumed).
 27. Please identify the linetype, presumably a 25' B/L, located along the rear yard lines of Lots 4, 5, and 6, Block 1, which appears to correspond to the area located in Development Area A, which has a 25' rear yard setback.
 28. Please identify the linetype, presumably a 25' B/L, located along the rear yard lines of Lots 17, 18, 19, and 20, Block 20, which appears to correspond to the area located in Development Area A, which has a 25' rear yard setback.
 29. Please clarify the relative extents of the 10' U/E along the south line of Springtree; 5' and 5' respective proportions are assumed, but this is not known.
 30. Linework represented within and along the south side of Springtree (probably intended to be the "15' [Utility] Easement" per the plat of same) needs to be identified.
 31. Southerly distance indication arrow appears to be missing within Reserve B.
 32. Please add proposed street names. Street names known at this time are Jamestown Ave. and New Haven Ave. as the continuations of these existing streets from Springtree to the north. In order to make the street names "fit" and be compatible with the 144th Pl. S. intersection with Harvard Ave. in The Reserve at Harvard Ponds, the east-west streets should be, from north to south: 143rd Place South, 143rd Court South, and 144th Street South.
 33. Please add proposed addresses to the lots. A table may be used if needed for map clarity.
 34. Please consider using a different symbol to indicate the curve on the cul-de-sac turnaround just easterly of the Reserve Area C frontage, to avoid ambiguity with curve # 1 as shown in the Curve Table.
 35. Lots 8, 9, and 10, Block 6, are completely separated from the balance of Block 6 by Reserve Area A. Per the definition of "Block" in the Subdivision Regulations and the typical block numbering conventions, the two (2) areas need to be separate blocks.
 36. Lots 5 through 9, inclusive, are completely separated from the balance of Block 6 by a street. Per the definition of "Block" in the Subdivision Regulations and the typical block numbering conventions, the two (2) areas need to be separate blocks.
 37. Subdivision Contains statistics: Please update the number of blocks to incorporate new blocks as recommended hereinabove.
 38. DoD/RCs Preamble: Please update the number of blocks to incorporate new blocks as recommended hereinabove.
 39. DoD/RCs Preamble: Reports 133 lots in error.
 40. DoD/RCs: Does not appear to provide for the dedication, use, or maintenance responsibility of the Reserve Areas.
 41. DoD/RCs: For the recommended provisions dedicating and describing the use and maintenance responsibility of the Reserve Areas, please consider whether the Reserve Areas

- will also be U/Es. Otherwise, U/Es must be specifically dedicated through necessary utility corridors, and where required to be 17.5' in width along the subdivision perimeters.
42. Several side-yard U/Es missing dimensions throughout – please add.
 43. Current Lots 8, 9, and 10, Block 6: Please label 25' B/L.
 44. Please clarify the geometries of the U/E at the northeast corner of Lot 11, Block 4, and the one at Lot 49, Block 3 (and anywhere else similarly configured), so that it can be precisely located on the lot without scaling.
 45. Title Block / DoD/RCs Preamble: Title Blocks (3 pages) describe as “An Addition to the City of Bixby,” while DoD/RCs Preamble describes as “A Subdivision in the City of Bixby.” Please reconcile all instances.
 46. DoD/RCs Section I.F: Provides for the dedication and use of a Fence and Landscape Easement, but the same was not found on the face of the plat. Please reconcile appropriately.
 47. DoD/RCs: Section II omitted, and relevant parts of PUD 12-D missing (likely one and the same issue) – please update.
 48. DoD/RCs Section III.A: Provides “The Owner/Developer has formed or shall cause to be formed” an HOA. If this has occurred or will have occurred prior to plat recording, please submit a copy of the Secretary of State incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator.
 49. DoD/RCs Section III.A: Inaccurate reference to “Quail Creek Villas of Bixby.”
 50. DoD/RCs Section III.B: Please replace term “may” with “shall” to ensure HOA membership is unambiguously mandatory.
 51. DoD/RCs Section IV: Numbering convention at variance with that used elsewhere throughout the plat (Roman numeral → Capitalized letter vs. Arabic Numeral). Advisory.
 52. DoD/RCs Section IV.22: No lots are less than 52' in lot width, so dwelling square footage below this point appears to be moot. Language on this theme customarily has different square footage standards for one (1) versus two (2) stories. Please clarify appropriately.
 53. DoD/RCs Section IV.24: Auxiliary verb appears missing: “...and no garbage can...or structure shall be placed...”
 54. DoD/RCs Section IV.26: Inaccurate self-reference to “Providence Hills.”
 55. DoD/RCs Section V.C: Inaccurate self-reference to PUD 76.
 56. Final Plat: Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.
 57. Copies of the Preliminary Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11" X 17", and 1 electronic copy).

Erik Enyart stated that this was a straightforward subdivision with midscale-sized lots, except for a strip along the north side along *Springtree*, which had deeper lots per the PUD.

Larry Whiteley asked how the streets would handle the additional traffic. Erik Enyart stated that Harvard Ave. was a County road and noted that this issue had been raised and discussed in detail at the PUD Major Amendment development review stage. Mr. Enyart stated that the PUD entitled this development area for single-family development.

A Planning Commissioner asked about the Condition of Approval pertaining to trails. Erik Enyart stated that the PUD provided that there would be trails within the PUD, but did not differentiate between what parts of the owner's property would host the trails. Mr. Enyart stated that this item called for discussion.

Vice/Acting Chair Lance Whisman recognized Justin Morgan, PE, of Tanner Consulting, LLC, 5323 S. Lewis Ave., Tulsa, from the Sign-In Sheet. Mr. Morgan discussed the subject property and the development briefly.

Discussion ensued between Larry Whiteley, Erik Enyart, Jerod Hicks, and others regarding the relationships and similarities between the proposed development and neighboring subdivisions, including Springtree, Dutchers Crossing [Jenks], Harvard Ponds, and Providence Hills [Jenks]. Discussion included what types of houses would be built in the subdivision.

Brian Beam of Owasso Land Trust, 12150 E. 96th St. N., Owasso, responded to a question that Section [IV.]20 of the proposed Deed of Dedication and Restrictive Covenants provided that the first floor would be full masonry. Steve Sutton asked how many houses would be two (2) stories, and Mr. Beam responded that it “[d]epends on demand.” Mr. Beam stated that the developer was “Stonehorse” and the user was Simmons Homes, and that this development “will replace Providence Hills” [in Jenks]. Mr. Beam stated, “That’s what you’ll be looking at.”

Lance Whisman expressed concern that part of the Restrictive Covenants stated the minimum house size would be 1,400 square feet. Justin Morgan stated that that section would allow them if the lot width was 52’, but all lots will be wider than that. Erik Enyart stated that the minimum lot width was 65’. Mr. Morgan stated that that language would “come out.” Mr. Morgan stated that, at one time, the developer was considering smaller lots, but since then decided to keep all lots at 65’ in width. Mr. Morgan stated that he would simply “strike that line out of the Final [Plat].”

A Commissioner expressed concern about the number of entrances to the development. Erik Enyart stated that the [main section of the] development would have three (3) points of ingress/egress. Mr. Enyart stated that, in 2008, the “Willow Creek” development at 131st St. S. and Mingo Rd. was proposed, and included a large number of lots, but the Subdivision Regulations did not have a standard as to the minimum number of points of access in proportion to the number of lots proposed. Mr. Enyart stated that, therefore, the Fire Marshal, the City Planner, and the Police Chief discussed the matter and determined that three (3) points of access, including a collector street, would be adequate. Mr. Enyart stated that this had set a precedent which had been used since. Mr. Enyart stated that this was determined to be an issue in subdivisions proposed since when there were 250 lots proposed, or 260 lots proposed, or 291 lots proposed. Mr. Enyart stated that this development proposed 151 lots. A Commissioner asked Mr. Enyart how many homes were in Springtree, and Mr. Enyart stated that he did not know, but estimated approximately 100.¹ Mr. Enyart and Justin Morgan described access to the development, including the main section, which had a street connection to Harvard Ave., two (2) connections to Springtree, and a cul-de-sac designed to allow for further extension, and the smaller section with nine (9) lots which had a cul-de-sac street connecting to Harvard Ave. Mr. Enyart stated that Springtree itself had at least two (2), but perhaps three (3) connections.²

Jerod Hicks noted the need for street improvements but also noted “we want more developments.” Larry Whiteley described the difficulty in getting County roads improved.

Justin Morgan stated that it was a “chicken-or-eggs” matter, and that [a community] needed the houses to justify the need to widen the streets.

¹ There are 83 platted lots in *Springtree*.

² *Springtree* connects to Harvard Ave. via 143rd St. S. and to 141st St. S. via Indianapolis Ave.; its New Haven Ave. street is dedicated and built to 141st St. S., which is also dedicated, but not built east of Indianapolis Ave.

Larry Whiteley observed that the traffic matter may have been discussed when the PUD Amendment was brought forward.

A question was raised regarding the Modifications/Waivers requested. Erik Enyart noted that the Applicant had submitted a letter, copies of which were provided to the Commissioners prior to the meeting, which letter formally requested them and the arguments included were similar to previous justifications used for similar developments.

Jerod Hicks asked if the development would have a clubhouse or pool. Justin Morgan stated that the developer would “probably drop one (1) lot out later” for such a purpose. Mr. Morgan stated that the development was planned to be done in three (3) phases: south, north, and [a possible future expansion south of the southerly phase].

Vice/Acting Chair Lance Whisman recognized Brian Beam of Owasso Land Trust, 12150 E. 96th St. N., Owasso, from the Sign-In Sheet. Mr. Beam offered to answer any questions.

There being no further discussion, Larry Whiteley made a MOTION to RECOMMEND APPROVAL of the Preliminary Plat of “Pine Valley Addition” subject to all of the corrections, modifications, and Conditions of Approval as recommended by Staff.

Erik Enyart asked Justin Morgan if there were any recommendations which “gave you pause,” and Mr. Morgan indicated he agreed with the Staff recommendations.

A Commissioner asked Larry Whiteley if he would accept an amendment to his Motion to acknowledge statements the developer had made in the meeting pertaining to minimum standards for homes to be constructed in the addition, and Mr. Whiteley agreed.

Jerod Hicks asked the Applicant what the type of masonry would be used for new homes, and Justin Morgan and Brian Beam stated that they did not know at this time. Mr. Hicks noted that wood was affordable but, in a few years in the weather, it requires a full wood replacement, and the homeowners cannot afford that. Mr. Hicks suggested using “James Hardie siding.” Discussion ensued.

Steve Sutton noted that the developer had pointed to Providence Hills as being similar to what was being proposed here. Mr. Sutton confirmed with Brian Beam that the homes would be in the same price range. Mr. Beam stated that this would be an “exact replacement” for Providence Hills. Mr. Sutton asked what the price range was, and Mr. Beam stated that entry-level models were originally listed at \$160,000 but now they were selling for at least \$170,000 to \$180,000.

Erik Enyart repeated the Motion as follows: MOTION by Larry Whiteley to RECOMMEND APPROVAL of the Preliminary Plat of “Pine Valley Addition” subject to all of the corrections, modifications, and Conditions of Approval as recommended by Staff and to acknowledge statements made by the Applicant in the meeting as to the minimum development standards for new houses as listed in the Deed of Dedication and Restrictive Covenants.

Jerod Hicks SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Sutton, Whiteley, Hicks, and Whisman
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

4. **Preliminary & Final Plat – “Tri-State Retail” – Khoury Engineering, Inc. for Quail Flats Properties, LP.** Discussion and consideration of a Preliminary Plat and a Final Plat and certain Modifications/Waivers for “Tri-State Retail” for approximately 1/2 acre in part of the SW/4 SW/4 SW/4 of Section 13, T17N, R13E.
Property Located: 15035 S. Memorial Dr.
-

Vice/Acting Chair Lance Whisman introduced the item and asked Erik Enyart for the Staff Report and recommendation. Mr. Enyart summarized the Staff Report as follows:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Monday, October 06, 2014
RE: Report and Recommendations for:
Preliminary Plat & Final Plat of “Tri-State Retail”

LOCATION: – 15035 S. Memorial Dr.
– Northeast corner of the intersection of 151st St. S. and Memorial Dr.
– Part of the SW/4 SW/4 SW/4 of Section 13, T17N, R13E

SIZE: ½ acre, more or less

EXISTING ZONING: CH Commercial High Intensity District

SUPPLEMENTAL Corridor Appearance District

ZONING:

EXISTING USE: An unoccupied commercial building (previously occupied by AT&T Cellular World)

REQUEST: – Preliminary Plat & Final Plat approval
– Modification/Waiver from Subdivision Regulations Section 12-3-3.A to reduce the width of the Perimeter U/E from 17.5’ to 10’ along certain perimeters

SURROUNDING ZONING AND LAND USE:

North: CH, CG, & IL; The Bixby Car Wash zoned CH and CG, vacant land including abandoned Railroad right-of-way zoned CG, and an approximately 14-acre agricultural tract zoned IL.

South: (Across 151st St. S.) CG & CH; The Walgreens pharmacy in Lot 1, Block 1, Memorial Commercial Center and, further south, vacant land, commercial businesses, and a house zoned CH and CG.

East: CG & IL; Vacant land, a de facto stormwater detention area owned by the City of Bixby, and the NMB Manufacturing, LLC manufacturing campus zoned IL.

West: (Across Memorial Dr.) CS; The Sonic Drive-In restaurant, the O’Reilly Auto Parts store, and other businesses along Memorial Dr.

COMPREHENSIVE PLAN: Corridor (partial) + Development Sensitive + Commercial Area

PREVIOUS/RELATED CASES:

BL-40 – B & R Automotive, Inc. – Request for Lot-Split to pertaining to lot line adjustment(s) between adjacent tracts including part of the (now) Bixby Car Wash property abutting to the north/west – PC Recommended Approval 06/26/1978. Disposition by Town Board of Trustees not researched.

BL-41 – B & R Automotive, Inc. – Request for Lot-Split to pertaining to lot line adjustment(s) between adjacent tracts including part of the (now) Bixby Car Wash property abutting to the north/west – PC Recommended Approval 06/26/1978. Disposition by Town Board of Trustees not researched.

BZ-51 – Tri-Kay Development, Inc. – Subject property included in that area requested for rezoning from CG to CH – Approved 08/17/1976 (Ord. # 317) and 08/07/1978 (Ord. # 358).

BL-146 – Michael D. Smith – Subject property requested for Lot-Split approval – PC Approved 05/15/1989.

AC-08-05-03 – Subject property requested for Architectural Committee approval to remodel building – AC Approved 04/18/2005.

AC-07-05-04, AC-07-05-05, & AC-07-05-06 – Subject property requested for Architectural Committee approval of (-04) Replace signage facing on the existing ground/pole sign on the Memorial Dr. frontage, (-05) New ground/pole sign on the 151st St. S. frontage, and (-06) Wall signage with the following result: (-04) Approved, (-05) Denied, and (-06) Approved, all on 07/18/2005.

AC-08-05-03 – Subject property requested for Architectural Committee approval of a new ground/pole sign (same as AC-07-05-05 but possibly located slightly differently) – Denied 09/22/2005.

BBOA-469 – Mark Leggitt for Quail Flats Properties, LP – Request for Variance from the Zoning Code Section 11-9-21.E.2 to be permitted to exceed maximum display surface area standards for a Use Unit 21 wall/canopy sign for subject property in the CH Commercial High Intensity District – BOA Conditionally Approved 02/04/2008.

BACKGROUND INFORMATION:

Per meetings with design professionals, the owner of the commercial subject property would like to replace the existing, unoccupied commercial building, last occupied by AT&T Cellular World, with a new, larger commercial building for an AT&T store franchise. Zoning Code Section 11-8-13 requires that all properties having been rezoned by owner application must be platted prior to Building Permit issuance. Since the subject property was rezoned by owner application BZ-51 – Tri-Kay Development, Inc. in 1976/1978, the platting requirement applies.

ANALYSIS:

Subject Property Conditions. The subject property parent tracts are composed of three (3) unplatted parcels of land:

1. A somewhat-rectangularly-shaped tract beginning at the northeast corner of the intersection and having approximately 82' of frontage on Memorial Dr. and 74' of frontage on 151st St. S., and containing part of the front of the commercial building, Tulsa County Assessor's Parcel # 97313731301160,
2. A flag-shaped lot wrapping around the first-mentioned parcel and having approximately 18' of frontage on Memorial Dr. and 39' of frontage on 151st St. S., and containing the balance of the existing commercial building, Tulsa County Assessor's Parcel # 97313731301120,
3. A deep and narrow parcel having approximately 49' of frontage on 151st St. S., vacant with gravel areas for drives and informal parking, and a few trees along the fenceline common with the Bixby Car Wash property, Tulsa County Assessor's Parcel # 97313731301123,

Altogether, the subject property parcels total approximately ½ acre. Prior to right-of-way acquisition for the 151st St. S. widening project a few years ago, the subject properties together contained approximately 0.64 acres.

The subject property is relatively flat and appears to drain to the east to a de facto detention area on property owned by the City of Bixby lying south of the centerline of the abandoned Railroad right-of-way. From that point, the ultimate drainage basin is not immediately apparent.

The subject property appears to be presently served by the critical utilities (water, sewer, electric, etc.).

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Corridor (partial), (2) Development Sensitive, and (3) Commercial Area. Staff believes that the commercial redevelopment anticipated by this plat would not be inconsistent with the Comprehensive Plan.

General. This commercial subdivision of ½ acre, more or less, proposes one (1) lot, one (1) block, and no (0) reserve areas.

With the exception(s) as outlined elsewhere herein, the Preliminary Plat and Final Plat appear to conform to the Zoning Code and Subdivision Regulations.

The Technical Advisory Committee (TAC) reviewed this application on October 01, 2014. The Minutes of the meeting are attached to this report.

The Fire Marshal's, City Engineer's, and City Attorney's memos are attached to this Staff Report (if received). Their comments are incorporated herein by reference and should be made conditions of approval where not satisfied at the time of approval.

Access & Circulation. *Altogether considered, the subject property has approximately 100' of frontage on Memorial Dr. and 170' of frontage on 151st St. S., and driveway connections exist on both frontages. One or both of the two (2) existing driveway connections to 151st St. S. may be widened as a part of this development. Some additional right-of-way dedication is required, as described in the recommendations section below. No new streets, public or private, would be constructed.*

The Subdivision Regulations requires sidewalks along both frontage streets. The sidewalk is existing except for the area north of the Memorial Dr. driveway connection; construction of this portion of the sidewalk will be required.

Limits of No Access (LNA) are proposed along both Memorial Dr. and 151st St. S. except for access point(s), which must be approved by the City Engineer and Fire Marshal.

Staff Recommendation. *Staff recommends Approval of the Preliminary Plat and Final Plat with the following corrections, modifications, and Conditions of Approval:*

- 1. Subject to compliance with all Fire Marshal, City Attorney, and City Engineer recommendations and requirements.*
- 2. Limits of No Access (LNA) and Access Openings subject to City Engineer and Fire Marshal approval.*
- 3. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-3.A to reduce the width of the Perimeter U/E from 17.5' to 10' along certain perimeters.*
- 4. All Modification/Waiver requests must be submitted in writing.*
- 5. Per Assessor's parcel data, the existing right-of-way for a certain northerly portion of the subject property's Memorial Dr. frontage is approximately 113' wide. The TMAPC Major Street and Highway Plan and the Comprehensive Plan both designate this section of Memorial Dr. a Major Arterial, for which 120' of right-of-way is required. Per Assessor's parcel data and the Plans, approximately 7' of additional right-of-way dedication is required for this area.*
- 6. On the Preliminary Plat, please represent the existing building and dimension to nearest property lines as required by SRs Section 12-4-2.A.8. Such details may be removed on Final Plat by standard Modification/Waiver written into Staff Report as a Condition of Approval.*
- 7. DoD/RCs Section I.D.2: Paragraph missing period at end of sentence.*
- 8. DoD/RCs Section I.G: Please replace 126th St. S. with 151st St. S.*
- 9. DoD/RCs Section I.G: Please remove final sentence which appears to pertain to a different project.*
- 10. Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.*
- 11. Final Plat: Elevation contours, floodplain boundaries, physical features, underlying Zoning district boundaries, minimum improvements acknowledgement, and other such mapping details as required per SRs Section 12-4-2.B.6, by approval of this Final Plat, shall not be required on the recording version of the Final Plat, as such would be inconsistent with Final Plat appearance conventions and historically and commonly accepted platting practices.*
- 12. Copies of the Preliminary Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11" X 17", and 1 electronic copy).*
- 13. Copies of the Final Plat, including all recommended corrections, modifications, and Conditions of Approval, shall be submitted for placement in the permanent file (1 full size, 1 11" X 17", and 1 electronic copy).*

Larry Whiteley asked about the privately-owned properties to the east, which used to have commercial buildings on them. Erik Enyart stated that the City of Bixby had acquired these properties for the 151st St. S. widening project, and then sold back to the private sector the parts that were not needed for [final] right-of-way.

A Commissioner asked what siding the building would have, and Dan Arck stated it would be masonry, EIFS, and stone.

Vice/Acting Chair Lance Whisman recognized Malek Elkhoury, PE, of Khoury Engineering, Inc., PO Box 52231, Tulsa, from the Sign-In Sheet. Mr. Elkhoury expressed concern for the City Engineer's recommendation to maintain mutual access between the subject property and the carwash lot to the north. Mr. Elkhoury stated that he had prepared an updated plat showing a Mutual Access Easement (MAE), but that the MAE would be granted to the owner of the carwash property, with language in the Deed of Dedication granting access to the carwash owner, but the carwash owner could not be made responsible for maintenance. Mr. Elkhoury stated that the MAE would need to be shown on the plat, and this [whole situation] was "problematic." Erik Enyart read from the City Engineer's memo and noted that the recommendation to maintain "mutual access" did not necessarily mean by easement to be dedicated. Mr. Enyart stated that he believed the intent was to recognize that there is mutual access between the lots currently, de facto cross access, and the City's primary concern was that existing cross access be preserved, and not be removed unless agreed to by all. Mr. Enyart stated that the City Engineer's recommendation was covered by the recommendation in the Staff Report [# 1] requiring compliance with City Engineer, Fire Marshal, and City Attorney recommendations. Mr. Enyart noted that these matters could be resolved during the future site plan review.

Discussion ensued.

Jerod Hicks noted that the shopping center at the northeast corner of 101st St. S. and Memorial Dr. [in Tulsa] appeared to have been planned without good cross access, as one cannot freely cross between lots due to curbs. Mr. Hicks indicated that cross-access would be beneficial. Discussion ensued regarding who built what parts of that shopping center and when.

Patrick Boulden in around this time.

Erik Enyart stated that his recommendation was to support the City Engineer's recommendation, which he did not read as necessarily requiring a Mutual Access Easement be shown on the plat, but rather, the preservation of existing, de factor cross-access, unless all agreed otherwise. Mr. Enyart stated that he did not believe this could be resolved at this time, since the City Engineer could not answer questions [regarding the interpretation of his recommendation].

Malek Elkhoury asked Patrick Boulden if the recommended cross access should be done by MAE, and whether the City could require this between private properties. Mr. Boulden asked, and Mr. Elkhoury stated that he was not asking about "easements by necessity." Mr. Boulden indicated favor for an MAE, if cross-access was required, but questioned whether the City could require this.

Mr. Enyart reiterated his statement that he did not believe this issue could be resolved at this time, since the City Engineer could not answer questions regarding the interpretation of his recommendation.

Malek Elkhoury stated that his client agreed to dedicate the additional 7' of right-of-way, provided that the landscaped area here would still count toward the requirement during the site plan review.

Erik Enyart indicated agreement with the proposal, subject to the approval of the City Engineer and Public Works Director for the maintenance of private landscaping in the newly-dedicated public right-of-way. Mr. Enyart stated that the City would review the site plan as Staff and would “line item any items that don’t meet” Zoning Code requirements. Mr. Enyart stated that, then, the developer could take it one (1) step further and get the site plan approved by the City Council, which now had the authority to modify or Waive any development standards of the Zoning Code with which the project would conflict.

There being no further discussion, Vice/Acting Chair Lance Whisman asked to entertain a Motion.

Larry Whiteley made a MOTION to RECOMMEND APPROVAL of the Preliminary Plat and Final Plat of “Tri-State Retail” subject to all of the corrections, modifications, and Conditions of Approval as recommended in the Staff Report. Steve Sutton SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Sutton, Whiteley, Hicks, and Whisman
NAY:	None.
ABSTAIN:	None.
MOTION PASSED:	4:0:0

5. (Continued from 07/21/2014, 08/18/2014, and 09/15/2014)

Preliminary Plat of “Bricktown Square” – Sisemore Weisz & Associates, Inc. (PUD 31-A). Discussion and consideration of a Preliminary Plat and certain Modifications/Waivers for “Bricktown Square” for 4.547 acres in part of the SW/4 NW/4 of Section 01, T17N, R13E.
Property Located: 12409 S. Memorial Dr.

OTHER BUSINESS

6. (Continued from 07/21/2014, 08/18/2014, and 09/15/2014)

PUD 31-A – Bricktown Square – Minor Amendment # 1. Discussion and possible action to approve Minor Amendment # 1 to PUD 31-A for 4.547 acres in part of the SW/4 NW/4 of Section 01, T17N, R13E, with underlying zoning CS Commercial, OL Office, and RS-1 Residential, which amendment proposes reducing the minimum Land Area per Dwelling Unit standard and making certain other amendments.
Property Located: 12409 S. Memorial Dr.

Vice/Acting Chair Lance Whisman introduced related Agenda Item #s 5 and 6 and confirmed with Erik Enyart that the Applicant had [“temporarily suspended” their applications]. Mr. Enyart stated that Staff would allow these applications to be returned to the Planning Commission agenda no later than one (1) year after the date the application was submitted and with at least three (3) weeks notice prior to the requested agenda date.

Jerod Hicks made a MOTION to APPROVE the terms recommended by Staff as to the Applicant's temporary suspension of the two (2) applications. Steve Sutton SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Sutton, Whiteley, Hicks, and Whisman
NAY: None.
ABSTAIN: None.
MOTION PASSED: 4:0:0

Vice/Acting Chair Lance Whisman recognized Bixby Metro Chamber of Commerce's Leadership Bixby XIII intern Julie Lovelace, who introduced herself and her position at Manhattan Construction. The Planning Commissioners and Staff welcomed Ms. Lovelace.

OLD BUSINESS:

Vice/Acting Chair Lance Whisman asked if there was any Old Business to consider. Erik Enyart stated that he had none. No action taken.

NEW BUSINESS:

Vice/Acting Chair Lance Whisman and the Commissioners continued a discussion started prior to the meeting regarding the "excessive number of review comments" it has observed on several cases, including on this agenda. Erik Enyart stated that the City of Bixby was "developer friendly," and "we Staff are a resource and it's our job to review" development applications. A threshold number was discussed. Mr. Enyart stated that it would be difficult to quantify a threshold for what would be "excessive," as a PUD of 500 acres would likely have more review comments than a PUD of 1/4 of an acre. Discussion ensued. No action was taken.

Vice/Acting Chair Lance Whisman asked if there was any further New Business to consider. Erik Enyart stated that he had none. No action taken.

ADJOURNMENT:

There being no further business, Vice/Acting Chair Lance Whisman declared the meeting Adjourned at 7:21 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary